

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PENROSE PARK ASSOCIATES, L.P.	:	
Plaintiff,		
v.	:	CIVIL ACTION
		NO. 18-0730
UNITED STATES OF AMERICA,		
<i>acting through the</i> DEFENSE LOGISTICS	:	
AGENCY; and, PENNONI ASSOCIATES,		
INC.		
Defendants.	:	

**ORDER**

AND NOW, this 31<sup>st</sup> day of July, 2018, it is hereby ORDERED as follows:

- (1) Defendant United States' Motion to Dismiss (ECF No. 11) is GRANTED;
- (2) Plaintiff's Motion for Leave to File Response to Defendant United States' Statement of Undisputed Facts (ECF No. 14) is DENIED as moot by reason of this Court's findings in its accompanying Memorandum;
- (3) Plaintiff's Motion for Leave to File Surreply in Further Opposition to Defendant's Motion to Dismiss (ECF No. 15) is GRANTED and the Brief attached thereto as "Exhibit A" (ECF No. 15-1) shall be deemed FILED as of this day; and,
- (4) This Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims against Defendant Pennoni and the same are hereby DISMISSED without prejudice to any right Plaintiff might have to bring same against said Defendant in State Court.

BY THE COURT:

/s/ C. Darnell Jones, II J.